

CHAMBERS -- 10/762,294
Attorney Docket: 016955-0307491

REMARKS

Claims 1-5 and 7-19 are pending. By this Amendment, claims 14-16 are canceled without prejudice or disclaimer; claims 1, 3, 5 and 9-11 are amended; and claims 17-19 are added. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicant appreciates the courtesies extended by Examiner Langdon and Supervisory Patent Examiner Matecki to Applicant's representative during the personal interview conducted September 9. The points discussed during the interview are incorporated into the remarks below and constitute Applicant's record of the substance of the interview.

Claims 3 and 9-11 were rejected under 35 U.S.C. §112, second paragraph. The claims have been amended to obviate the rejection. Reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph are requested.

Claims 1-5 and 17-13 were rejected under 35 U.S.C. §102(b) over Henly (U.S. Patent 6,098,962). The rejection is respectfully traversed.

As discussed during the interview, Henly does not disclose or suggest that the arm 14 is pivotally mounted to the arm 15. It is also respectfully submitted that the springs 13 and 38 are not biasing means between the arm 14 and the base 16. The spring 38 is connected between the arms 14 and 15 and is connected at the positions 39 and 40.

As Henly does not disclose or suggest all of the features of claim 1, Henly cannot anticipate or render obvious claim 1.

Claims 2-4, 13 and 17-19 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

As also discussed during the interview, Henly does not disclose or suggest an elongate pressure member pivotally mounted on the arm at a second pivotal connection spaced from the first pivotal connection, as recited in claim 5. It is also respectfully submitted that Henly does not disclose biasing means between the base plate and the arm, as recited in claim 5. Therefore, Henly cannot anticipate or render obvious claim 5.

Claims 7-12 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 5 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection over Henly are respectfully requested.

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Claims 1, 2, 4, 5 and 7-13 were rejected under 35 U.S.C. §102(b) over Simmons (U.S. Patent 2,922,623). The rejection is respectfully traversed.

It is respectfully submitted that the level 17 is not arcuate. It is further respectfully submitted that the coils spring 28 is not between the rocking arm 19 and the side plate 1. Accordingly, it is respectfully submitted that Simmons does not anticipate claim 1.

Claims 2-4, 13 and 17-19 recite additional features of the invention and allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

The Office Action on page 6, line 3, alleges that the coil spring 28 of Simmons corresponds to the biasing means of claim 5. It is respectfully submitted that the coil spring 28 of Simmons is between the pin 27 and the hub 24 of the lock arm 23, not between the level 17 and the base plate 1. See column 2, lines 52-53. Accordingly, Simmons cannot anticipate claim 5.

Claims 7-12 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 5 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) over Simmons are respectfully requested.

As discussed during the interview, the undersigned has reviewed the prior art of record and respectfully submits that none of the prior art, including the applied prior art and the non-applied prior art anticipate or render obvious independent claims 1 and 5. For example, Knaack et al. (U.S. Patent 4,953,829) disclose two arms 19 and 20 that pivotally connect to a common shaft 17, not at a first pivot and a second pivot which are spaced from each other. As another example, Harig (U.S. Patent 4,706,940) discloses a rope hoist apparatus including a spring loaded level 32 having a roller support 31 mounted thereon. However, neither the spring loaded level 32 nor roller support 31 is arcuate. In addition, the level 32 is spring loaded by the draw bar 33 which is provided between the stop plate 34 and the abortment plate 35. As an even further example, Manabe et al. (U.S. Patent 4,205,871) discloses the biasing mechanism 45 in Figure 5, but does not disclose or suggest a biasing means between the side plates 13 and 14 and the plates 46 and 50.

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Applicant respectfully submits that the claims define subject matter, which is patentable over the prior art of record. Should any issues require further resolution, the Examiner is requested to telephone applicant's undersigned attorney to discuss and resolve the issues.

Respectfully submitted,

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